4. The Government may make rules providing, on such conditions as may be specified in the rules, for—

Refund of and exemption from Coffee cess.

(a) the refund of the Coffee cess levied where coffee is exported by land and subsequently imported into Cochin; and

(b) the export by land, without payment of the Coffee cess, of coffee which is subsequently to be imported into Cochin.

5. (a) The collection of the Coffee cess on Coffee produced in Cochin and taken by sea to any place beyond the limits of Cochin shall be made by such officers of customs as have been appointed by the Government under section 5 of the Cochin Sea Customs Regulation, XII of 1109, and shall be governed by the provisions contained in that Regulation.

Agency for collecting Coffee cess and the method of collection.

(b) The collection of the Coffee cess on coffee produced in Cochin and taken by land to any place beyond the limits of Cochin shall be made by such officers as may be nominated for the purpose by the Government who may prescribe rules to govern such collection and such rules when published in the Cochin Government Gazette will have the force of law as if they were part of this Regulation.

Clause 1 put and carried.

1. This Regulation may be called the Cochin Coffee Cess Regulation, of 1111.

Short title, extent and commencement.

(2) It shall extend to the whole of Cochin and shall come into force at once

Title and preamble put and carried.

The Cochin Coffee Cess Bill.

Whereas it is expedient to collaborate with the Government of India in providing for the creation of a fund to be expended by a committee constituted by the Government of India under the Indian Coffee Cess Act, 1935, for the promotion of the cultivation, manufacture and sale of Indian Coffee; it is hereby enacted as follows;—

Preamble.

Mr. Thomas Manjuran.—I beg to move that under Standing Order No. 42 the bill may be taken up and finally passed on Wednesday.

Mr. P. V. Subramania Ayyar.—I second it.

Motion put and carried.

The Cochin Criminal Procedure Code Amendment Bill.

Mr. Thomas Manjuran.—I rise to introduce the Cochin Criminal Procedure Code Amendment Bill. It is rather a long Bill and an attempt to bring the Cochin law of Criminal

LIBRARY ARCHIVES Kerala Legislative Assembly

Procedure into line with the British Indian law. As the statement of objects and reasons states, the Cochin Code of Criminal Procedure was drafted on the lines of the British Indian Code of 1898. The British Indian Act of 1898 was rather extensively amended in 1923 and far-reaching changes several of which were intended to protect the interests of accused persons were introduced by that amendment of 1923. The amendments now proposed practically cover, with suitable modifications, all the amendments introduced in the British Indian Code. The matter, however, is of very great importance and though not actually controversial must be considered and must go to a Select Committee. I shall presently propose that the Bill may be referred to a select committee.

Mr. K. Ayyappan.—Why not it be referred to the Law Commission?

Mr. Thomas Manjuran.—If the Hon'ble Members think that they do not want to examine it, the Government would have no objection.

Mr. K. Ayyappan.—We will consider it afterwards. Now you have appointed a competent body to revise and bring our laws into line with the British Indian Laws. Why not refer this also to that body?

Mr. Thomas Manjuran.—That body will consider the measures that have been directed to be considered by it. I have only to say that I propose to move for the appointment of a select committee. In the meantime I beg to introduce this Bill.

Mr. E. Ikkanda Warriar.—Sir, in the light of the President's speech to-day, I think we will have in a way to make our laws in comformity with the British Indian Laws. I think we will wait until the final decision of the Harbour question is over and in that case, we have practically to pass *mutatis mutandis* what the law in British India is.

Mr. President.—Apart from that does not this House think it desirable to bring our Code into line with the British Indian Code?

Mr. E. Ikkanda Warriar.—I shall explain my difficulty. On page 20 of your speech, Sir, it is stated that "in regard to the criminal laws in force in Cochin, Cochin shall pass a Code of criminal Procedure on the lines of the British Indian Code"; and then further on the previous page also "to bring about this result we have given the following undertaking on behalf of the Cochin Government:—". If the undertaking has already been given or if the agreement has not been signed, is it not better

LIBRARY ARCHIVES Kerala Legislative Assembly

that we wait until the agreement is been signed and then start work. Otherwise the time and labour spent may prove a waste.

Mr. President.—So far as this Bill is concerned, the position of the Government is whether the undertaking exists or not, and in the interests of the administration of criminal justice, the Government feel that our Code of Criminal Procedure should be brought into line with the British Indian Code. That is why this Bill has been placed before the Council.

Motion put and carried.

Secretary to the Council. The title of the Bill is "The Cochin Code of Criminal Procedure Amendment Bill."

Mr. Thomas Manjuran.—I rise to move, Sir, that the Bill be referred to a select committee consisting of the following members :-

The Deputy President,
Mr. M. Sivaram Menon,
Mr. A. Narayana Menon,
Mr. P. Kumaran Ezhuthassan,
The Hon'ble Member for Police,
Mr. P. Raman Menon,
Mr. E. Ikkanda Warriar,
Mr. P. Govinda Menon,
and the Mover.

Motion put and carried.

Mr. President.—The Deputy President will be the Chairman of the Committee. The committee will report within 3 months.

Mr. President.—In pursuance of the Press Communique about the Road Board, I have to inform Honourable Members that election of three members will be conducted at 5 P. M. on Thursday 12-12-1935 and that nomination papers for the same should reach the Council Secretary not later than 12 noon on Wednesday 11-12-1935.

I may also inform Hon'ble Members that I have arranged with the Harbour authorities to take such of the non-official members as wish to visit the Harbour to be taken round so that the entire scheme can be explained to them by the Harbour Engineer. The party will be taken after the Council is over on

LIBRARY ARCHIVES Kerala Legislative Assembly

Saturday morning at half-past eight and such of the Hon'ble Members as are willing to go will give their names to the Council Secretary who will inform them where to meet.

Mr. P. Kumaran Ezhuthassan.—With your leave, Sir, we have got more than an hour to-day. We have got a crowded agenda. So we can pass on to the next item in the agenda.

Mr. President.—It is not possible just at a moment's notice to take it up. Unless it is put down on the agenda paper, Hon'ble Members cannot be expected to come prepared.

Mr. E. Ikkanda Warriar.—On official days preference will be given to official business and if there is any time, the resolutions may be taken up. That has been the practice here.

Mr. President.—Yes. I will see if some resolutions could not be put down for tomorrow.

The House rose for the day at 4 p. m.

B. V. KRISHNANKUTTY MENON,

Secretary to the Council.

LIBRARY ARCHIVES Kerala Legislative Assembly